

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
Case No.: 0:22-cr-00243 (MJD/DTS)**

United States of America,)	
)	
Plaintiff,)	
v.)	DEFENDANT’S MOTION FOR
)	WITHDRAWAL OF COUNSEL
Marcus Trice,)	PURSUANT TO LR 83.7(c)
Defendant.)	
)	

TO: THE HONORABLE MICHAEL J. DAVIS, JUDGE OF MINNESOTA FEDERAL DISTRICT COURT; THE HONORABLE DAVID T. SCHULTZ, MAGISTRATE JUDGE OF MINNESOTA FEDERAL DISTRICT COURT; AND ALLEN SLAUGHTER AND MATTHEW FORBES, ASSISTANT UNITED STATES ATTORNEYS GENERAL FOR THE PLAINTIFF UNITED STATES OF AMERICA.

The defendant, Marcus Trice (“Trice”), by and through his undersigned attorney, moves the Court for an Order authorizing the undersigned attorney to withdraw as Trice’s counsel. As grounds, Trice offers the following.

On December 20, 2023, Trice discharged the undersigned as his attorney. Trice and the undersigned attorney understand that Trice’s decision is not effective without the Court’s approval. Under LR 83.7(c), the Court may permit an attorney to withdraw from a case for good cause shown, so long as the attorney notifies his client of the motion. The Sixth Amendment to the U.S. Constitution enshrines the right of a defendant to choose his own counsel. *See Wheat v. U.S.*, 486 U.S. 153, 159, 108 S. Ct. 1692, 1697 (1988). This right is not limitless. For example, a defendant “may not insist on representation by an attorney he cannot afford or who for other reasons declines to represent the defendant.” *Id.*

Here, Trice asks the Court to find good cause, as he no longer wishes for the undersigned attorney to represent him. If the Sixth Amendment entitles a defendant to choose his own counsel, then Trice must be allowed to discharge an attorney he does not want representing him. Trice previously qualified for representation from the CJA Panel (“Panel”), and he requests appointment of another attorney from the Panel to represent him.

Based on the foregoing, Trice respectfully moves to authorize the undersigned counsel to withdraw as his attorney.

Dated: December 20, 2023

RESPECTFULLY SUBMITTED,

REPKA LAW, LLC



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